



STATE OF WASHINGTON
COMMISSION ON HISPANIC AFFAIRS
COMISIÓN DE ASUNTOS HISPANOS

Leo Gaeta,
Chair

September 15, 2004

Yvonne
Lopez-Morton,
Vice Chair

«Title» «FirstName» «LastName»

«Address»

Diana Avalos,
Executive Committee

«City», «State» «Zip»

Homero Tamez,
Executive Committee

Dear «Title» «LastName»:

Gabriel Banfi

The Commission on Hispanic Affairs is tasked by the people of the State of Washington with advising the Governor, the Legislature, and the state and local agencies on issues of concern to the Latino community. The Commission takes this opportunity to advise our state of Washington Federal Legislators on a new proposal introduced by the U.S. Department on Health and Human Services' Centers for Medicare and Medicaid Studies (CMS) requiring hospitals to ask emergency room patients their immigration status.

Faviola Contreras

Gabriel Portugal

Rebecca Villareal

Ruben Baca

Uriel Iñiguez,
Executive Director

The current proposal, which implements Section 1011 of the Medicare and Modernization Act (MMA), has potentially massive public health implications. Hospitals and advocates are widely opposed to this provision, which could go into effect as soon as October.

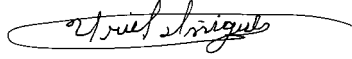
If the proposal is finalized, the public health implications could be catastrophic, fear and confusion will spread throughout immigrant communities, and many people will avoid emergency medical treatment, leading to aggravated illness, the spread of communicable diseases, and death. Immigrants, regardless of their immigration status, will fear that disclosing identifying information will cause their deportation and separation from children and family members, inability to become a US citizen, and failure to sponsor family members. At a time that our nation is trying to protect its residents from potential biological terrorism and contaminants, it simply does not make sense to hinder a significant portion of our population from seeking health care. The Commission is also concerned that this proposal also fosters racial and ethnic profiling in health care settings and undermines attempts to close the racial disparities and discrimination in health care.

In addition to the patient disincentive and encroachment of privacy, health-care providers would face an enormous increase in their administrative burdens. These highly trained professionals whose mission is to save lives will be turn into immigration agents deciding who receives life saving medical care based on a patient's immigration status.

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CMS needs to adopt an alternative proposal in which patients and public health come first. The Commission urges all our Federal elected officials to do everything in their power to stop the implementation of this dangerous CMS proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Uriel Iñiguez", enclosed within a horizontal oval shape.

Uriel Iñiguez
Executive Director